

HERMANN'S TRIAL ON IN EARNEST

Prosecutor Heney Opens With
What He Expects to Prove
Against Defendant.

EX-CONGRESSMAN CHARGED WITH BIG LAND FRAUDS

Conspiracy to Grab School
Lands in Districts to Be Re-
served Alleged.

PORTLAND, Or., Jan. 12.—With all preliminaries brushed aside the trial of Binger Hermann, former congressman, charged in the federal court here with conspiracy to defraud the government of part of the public domain, began in earnest today. The "Hear, ye, hear, ye!" of the bailiff had scarcely died away when Francis J. Heney arose and began the delivery of his opening address.

The famous prosecutor bowed close to the line throughout his brief statement of the government's case. He spoke calmly, only now and then waxing eloquent or indulging in his famed invective.

The defense's position was outlined by Col. A. S. Worthington of Washington, D. C., who denied as a whole and seriatim the charges in the indictment. He went over the long public career of Hermann, spoke of the esteem in which he was held by those who had had business dealings with him, of his scrupulous integrity in business affairs and recounted the idea that he had cold bloodedly and deliberately plotted with others to defraud the government and the people in whose interest he had spent a life of labor.

Heney's Address.

Francis J. Heney, in opening the prosecution of Binger Hermann spoke in part as follows:

"Gentlemen of the jury. We expect to prove that in 1901 it was known in Oregon that timber speculators were taking advantage of the creation of forest reserves as to what land would be included in the reserve, and by threatening a large number of persons to make applications for the school lands within the reserve and convey the reserved school lands to the speculators for small sums.

As early as July, 1901, the time at which Mr. Binger Hermann became commissioner of the general land office at Washington, Oregon newspapers published sensational articles explaining these frauds. In September of 1901 the commission of the general land office called attention to these frauds in his report on the general land office.

In September, 1901, Binger Hermann was in Portland, Or., and there entered into a conspiracy with Franklin Mays, W. N. Jones and others to assist them in the creation of a forest reserve in southeastern Oregon. Mays and Jones, United States surveyor general, and discussed the proposition in the presence of Binger Hermann.

Thereafter Hermann returned to Washington and Mays and Jones, in accordance with the suggestions made by Hermann, procured petitions for the creation of the reserve.

In March, 1902, Hermann officially resigned his position as commissioner of the general land office, to investigate the matter and then the aforementioned Mays and Jones made report upon the matter and then the aforementioned Mays and Jones made report upon the matter and then the aforementioned Mays and Jones made report upon the matter.

Expected Big Profits.

"Each applicant for state school lands was authorized to purchase 320 acres and he was only required to pay to the state 25 cents per acre as the first payment. Consequently Mays and Jones were only required to pay the state about \$12,000 to secure control of practically 10,000 acres of the best timber lands in the United States. If the owners of the school lands wanted to sell them for a large sum of money they were worth at that time about \$5 per acre in the open market. Mays and Jones stood to make a profit of at least \$1 per acre. They had calculated on securing all of the school lands within the proposed reserve, amounting to about 150,000 acres, and thus making a net profit of about \$150,000.

Hermann aided and abetted in every way possible. He was at that time a leading receptive candidate for the position of United States senator from Oregon and Mays was a state senator and Jones a member of the assembly.

Mays and Jones have already been convicted. Hermann would have been tried at the same time with Mays and Jones but for the fact that he had previously secured a promise from Mr. Heney that he would not be tried in Oregon until he was first tried in Washington, D. C., under another indictment. In April, 1906, when the San Francisco earthquake called Mr. Heney home.

Attitude of Defense.

Colonel Worthington called attention to the fact that the defendant did not withdraw these lands from entry, but merely recommended their withdrawal.

Counsel also called attention to the fact that it is customary for the commissioner of the general land office to make trips to the country to inspect the land and to confer with persons having business with the land office.

For the government has stated, Hermann on one of his trips to his home in Oregon, and while in Portland, Ore., did have a talk about the creation of the reserve with Mays, Jones, Sorenson and others.

Colonel Worthington said, "This reserve was a new thing. Worthington said, 'Even as late as in 1900, prominent citizens of Portland, Ore., of whom the defendant was a friend, and Joseph Simon, had protested against its creation.'

Came Near Choking to Death.

A little boy, the son of Chris D. Peterson, a well-known resident of the village of Jacksonville, Iowa, had a sudden and violent attack of croup. Much blood, stringy phlegm came up after giving Chamberlain's Cough Remedy. Mr. Peterson says: 'I think he would have choked to death had we not given him this remedy.' For sale by all druggists.

WASHINGTON COUNTY GETS
\$1000 FOR GOOD ROADS

The Utah good roads commission met in session at Salt Lake City yesterday and appropriated \$1000 to Washington county for improvement of the roads in that county.

The commissioners of Washington county

GARDNER DAILY STORE NEWS

MAIL ORDERS PROMPTLY FILLED

Weather Forecast for Today: Fair.

A Constant Stream of Fortunate Buyers

Regardless of the fact that numerous Clothing Sales had been in progress for several weeks previous to the beginning of this Mid-Winter Clearance, the response has been wonderful, which is only accounted for by the fact that the people have learned to know that they take no chance on getting a bargain in any article bought during a Gardner Sale. These are truly great values.



Men's Overcoats

\$ 6.00 Overcoats go at	\$ 4.50
\$ 7.50 Overcoats go at	\$ 5.75
\$10.00 Overcoats go at	\$ 7.50
\$12.00 Overcoats go at	\$ 9.00
\$15.00 Overcoats go at	\$11.00
\$18.00 Overcoats go at	\$13.50
\$20.00 Overcoats go at	\$15.00
\$25.00 Overcoats go at	\$19.00
\$30.00 Overcoats go at	\$22.50
\$35.00 Overcoats go at	\$26.50
\$40.00 Overcoats go at	\$30.00

Boys' Suits

Boys' \$3.00 Suits go at	\$2.25
Boys' \$3.50 Suits go at	\$2.50
Boys' \$4.00 Suits go at	\$3.00
Boys' \$4.50 Suits go at	\$3.50
Boys' \$5.00 Suits go at	\$3.75
Boys' \$6.00 Suits go at	\$4.50
Boys' \$7.50 Suits go at	\$5.75
Boys' \$10.00 Suits go at	\$7.00
Boys' \$12.00 Suits go at	\$9.00

Similar reductions also apply to Men's Suits, Topcoats and Raincoats, Boys' Overcoats and Young Men's Suits and Overcoats, Boys' and Men's Heavy Lined Gloves and broken lines of Underwear.



are the first to take advantage of the appropriation made by the last legislature for the use of the good roads commission. They asked the commission to give them the entire amount of the appropriation for that county and their request was granted.

It is the intention to use the money on the highway up Clara creek from St. George to Shem and thence over the road of the Utah and Eastern Copper

company westward to the state line. By changing the road as intended, it is stated, sixteen crossings of the creek can be avoided.

Merchants' Lunch, 35c.
At College Inn Cafe, 12 to 2:30.

Tribune Want Ads.
Bell Main 5200. Independent 360

Keith O'Brien Company



We Will Place on Sale Thursday, Friday and Saturday Our New Spring Waists in Lingerie and Tailored Styles

Fine lingerie waists, finished with pin tucking on front, new sleeve and splendid fitting collar; special, \$1.95.

Lingerie waists, front trimmed with embroidery and Venice insertion; open back; special, \$2.95.

Fine lingerie waists, button back, richly trimmed with lace and insertion and fine pin tucking; new sleeve; special, \$3.95.

Fine lingerie waists, trimmed with imported Swiss insertion and cluster pin tucking; sleeve made in the new puffed style; special, \$4.95.

A genuine inducement in waists, made of all-over eyelet embroidery, new sleeve, open back and handsome collar; special, \$5.75.

Complete line of tailored waists in plain and hand embroidered. A range of prices from \$1.95 to \$8.95.

One-third reduction on all sweater coats. Ask to see our new military sweater for girls and women.

Keith O'Brien Co.

The January Clearance is proving the largest sale in the history of the store. Every department contributes to its success, which, in point of actual savings from regular prices, will long be remembered.

For the Living Room or Den

Some genuine worth
whiles in dropped
styles.

We can only give you a hint of the handsome designs of these inviting chairs, fashioned of the popular old oak with Spanish leather, spring seats and backs, which we are featuring as a most attractive after Christmas offering at "special" prices for one week. We offer you a choice of either rocker or chair of any of a half dozen styles. (Some in mahogany also).

We have a superb line of Morris chairs. Some carved, some in beautiful curved lines and some in the straight mission style now so popular, in both oak and mahogany, with cushions made in our own factory. If you do not fancy the cushion we will make you yours specially, as our upholstery section is thoroughly equipped to turn out at short notice anything desired.

We have the largest assortment of upholstering fabrics in the city, and also carry Spanish and plain hand buffed leather in the full hides.

In our Upholstery Section we are prepared to reupholster, make over and refinish any article of furniture. Recovering is often the only thing necessary to turn out from your old furniture a most pleasing and serviceable article. We can do this to your satisfaction at a modest charge. We make or recover window seat or loose cushions. Make over, or make specially, mattresses and box springs, box couches, or will design and make any special piece of furniture desired.

LINOLEUMS

We handle only the best made, in both the
American and Foreign goods.

We have purchased an entirely new line in both Printed Goods and Inlaid. It will soon be delivered to us. Meanwhile there are some bargains to be had, as we wish to close out the patterns that are down to small ends.

Our printed and inlaid goods are thoroughly cured, no chipping or separation from the backing as happens with some grades. Ours are made of pure ground cork and linseed oil (no clay fillings), welded to the backing under pressure of tons to the square inch. We know the worth that is in them and offer them to you under our guarantee of absolute satisfaction. Don't forget the particular bargains now offering on the dropped patterns.

BATH RUGS

For particular people. We have lately received a new line intended to be shown for Spring, but they are now here, early.

They are all NOVELTIES. Fast color, washable, some in old rag carpet style, some Martha Washington, some bungalow styles, some in real Turkish bath styles. They are dainty but serviceable. It is impossible to describe them. You must see them to appreciate their beauty, for they are a distinct departure from the old fashioned lines, but still are quaint and fetching. Priced from \$1.00 to \$4.50.

BRASS BEDS

in unusual styles. We have been complimented on our showing in this line, even by some of our competitors.

Our showroom is limited, we know, but that does not prevent us from showing the best to be procured. And we say without egotism that we can save you money and please the most critical taste. We have had a good trade in them, and will continue to feature them. We have some twenty styles yet in stock and to make room for the Spring purchases have reduced the entire line to most attractive prices. They are all of the best possible quality English lacquered, in both the bright and satin finishes. If you have any such purchase in mind it will be to your interest to look them over. They are also fully guaranteed.

While you are down to the store, look around in the different departments—you'll be surprised at the wonderful savings offered.



RUGS AND CARPETS

Spring is already on us in the matter of the deliveries of Carpets and Rugs.

We bought early and heavily in order to forestall the advances which have, since our purchases, been made in all woolen goods, and we wish to clear our racks and shelves of the patterns which are down to small quantities. It will be prudent to purchase now. Any rug or carpet will be held and laid when wanted. It is an opportunity for REAL JUDGMENT WILL PROVE ITS TRUTH IF YOU WILL LOOK NOW.

WINDOW SHADES.

What the K.-O.B. guarantee means—It means a shade that will give fifteen years' service if it is used properly.

It means BEST quality shade cloth, genuine Hartshorn rollers, best fixtures, full length and width, NOTHING SKIMPED, careful hanging and satisfaction in every detail. We have our own shade making machine in our factory. It is correct to one-sixty-fourth of an inch. Every shade is made under our own supervision and our name is back of every order in guaranteed satisfaction. For all this attention to detail we ask no more and frequently less than others. Complete and detailed estimates furnished without charge on request. WE KNOW we can please you if you will give us a trial, and you will save some money too.

SPRING LACE CURTAINS

We say BUY NOW, and we will give you a good reason for doing so.

We have, during the past season, been the leaders in the trade—because we have had the novel and unusual styles. Every style though has been carefully considered before purchase, BY AN EXPERT WHO HAS HANDLED LACE CURTAINS FOR A LIFETIME. And NO curtain has found a place with us which we could not, in every possible way, guarantee in the most unqualified manner, and the K.-O.B. guarantee MEANS SOMETHING. Now for the "GOOD REASON," MENTIONED ABOVE. This stock has also been culled and inducements are offered that will impress you with our good faith—not the usual half price "splatterdash" things that find a home only in the newspaper columns, but curtains that will grace your rooms. Parlor, living room, library, dining room, chamber or den. Your good taste and your judgment will be appealed to by our offerings. The quantities range from one pair to six pairs of a number and from \$1.00 to \$35.00 per pair. All purses can be suited. Every curtain carries our guarantee, and with a slight deposit we hold anything until wanted. YOU OWE THESE GOODS A LOOK, for the reductions range from 20 per cent to 60 per cent and are GENUINE.

DRAPERIES

The decorative department, on the second floor, will show you the most complete and newest line of goods for home interior beautifying.

The most recent productions in this class of materials are here together with many exclusive novelties, and you may gain innumerable hints for tasteful and artistic decorative effects. Our decorative specialist, one of the foremost authorities, supplemented by a competent staff of assistants and work people, enables us to execute work of a very superior character, and it is well known that our policy of LOW PRICES will meet YOUR VIEW OF EXPENSE ON ANY PARTICULAR NEED.

In addition we have culled from the stock many interesting things on which the quantities have been reduced—the prices of which have been correspondingly cut.

Things that are just as good as any of the new things that are to come with the spring. Then, too, the remnant table and the bargain corner is overflowing; remnants of from two to ten yards, all marked at REAL REMNANT PRICES. These remnants are of every sort of fabric in the stock, and there is hardly any want that cannot be met with a substantial saving to you.